



PUBLIC NOTICE

Federal Communications Commission
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DA 02-2381
September 30, 2002

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITIONS FOR RULEMAKING REGARDING PAYPHONE DIAL-AROUND COMPENSATION RATE RM No. 10568

Comments Due: October **30, 2002**
Reply Comments Due: November **14, 2002**

On August 29, 2002, the American Public Communications Council (APCC) filed a Request That the Commission Issue a Notice of Proposed Rulemaking (or in the alternative, Petition for Rulemaking) to Update Dial-Around Compensation Rate (Petition). On August 30, 2002, APCC filed a corrected copy. APCC requests that the Commission issue a Notice of Proposed Rulemaking to consider a new compensation rate for dial-around payphone calls by updating the cost model the Commission adopted in *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-128, Third Report and Order, 14 FCC Rcd 2545 (1999) (*Third Report and Order*). APCC states that it is seeking only a change in the rate of \$0.24 per call of 47 C.F.R. § 64.1300(c) and is not seeking either a new rule or any other revisions to this rule. APCC asserts that substantial changes to market conditions since the Commission adopted the *Third Report and Order* justifies an increase to the \$0.24 rate. See *Third Report and Order*, 14 FCC Rcd at 2647-48. On September 4, 2002, the RBOC Coalition (BellSouth Public Communications, Inc., SBC Communications, Inc. and the Verizon telephone companies) filed a Petition for Rulemaking. The RBOC Coalition also requests that the Commission establish a new per-call payphone compensation rate, increasing the rate to \$0.49.

Pursuant to 47 C.F.R. § 1.405, interested parties may file comments no later than October **30, 2002**. Interested parties may file reply comments no later than November **14, 2002**. All responsive filings must reference the **Rulemaking** number of this proceeding, **RM No. 10568**. Comments and reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

Comments and reply comments filed through the ECFS may be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Each filing must be submitted into the following proceeding: **RM No. 10568**. In completing the transmittal screen, parties must include their **full** name and Postal Service mailing address. Parties also may submit an electronic filing by Internet e-mail. To get filing instructions for e-mail filings, parties must send an e-mail message to ecfs@fcc.gov and include the following words in the body of the message: "get form to <your e-mail address>." A sample Form and directions will be sent in response. Commenters also may obtain a copy of the ASCII Electronic Transmittal Form (FORM-ET) at <http://www.fcc.gov/e-file/email.html>. For security purposes, we recommend that documents filed by e-mail be converted to PDF format. If filing electronically through ECFS or by e-mail, transmit one courtesy copy (CC) to Lynne Milne at lmilne@fcc.gov.

On November 29, 2001, the Commission released an order temporarily amending certain procedural rules. *Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, Order, 16* FCC Rcd 21483 (2001). In addition to filing through the ECFS, comments and reply comments may be filed as indicated below:

If filed by hand delivery, an original and four copies of comments and reply comments must be addressed to the Commission's Secretary and delivered through the Commission's contractor, Vistrionix, Inc., at

TYPE OF DELIVERY	PROPER DELIVERY ADDRESS
Hand-delivered Paper Filings	236 Massachusetts Avenue N.E. Suite 110, Washington, DC 20002 (Weekdays: 8:00 a.m. to 7:00 p.m.)
Messenger-delivered Documents Includes documents sent overnight mail, FedEx etc. Excludes USPS First Class, Express & Priority Mail	9300 East Hampton Drive Capital Heights, MD 20743 (Weekdays: 8:00a.m. to 5:30 p.m.)
USPS First Class, Express or Priority Mail	445 12 th Street S.W. Washington, DC 20554

If filed by facsimile, comments and reply comments must be transmitted to **(202)418-0187**. The facsimile transmission must include a cover sheet listing contact name, telephone number, and an e-mail address, if available. If filing by facsimile, send one copy to Lynne Milne at **(202)418-1567**.

In addition, one copy of each comment or reply comment must be delivered to the Commission's duplicating contractor, Qualex International (Qualex), at Room CY-B402, 445 12th Street S.W., Washington, DC 20554. The Qualex telephone number is (202)863-2893 and facsimile number is (202)863-2898 and email address is qualexint.@aol.com.

The APCC and RBOC Coalition Petitions are available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street S.W., Washington, DC 20554. Copies of the Petitions are available for purchase from Qualex, Room CY-B402, 445 12th Street S.W., Washington, DC 20554. Copies of the APCC and RBOC Coalition Petitions also may be obtained through the Commission's Electronic Comment Filing System (ECFS) by entering the Rulemaking number of this proceeding, **RM No. 10568**.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 C.F.R. §§ 1.1200(a) & 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must reflect the substance of the presentations and not merely list the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations are set forth in 47 C.F.R. § 1.1206(b).

For Further information, contact Lynne Milne of the Pricing Policy Division, Wireline Competition Bureau, at **(202)418-1520**.